

Appl. No. : 10/510,466
Filed : October 7, 2004

REMARKS

The Abstract has been amended for brevity and to reduce legal language. The amendment to the Abstract does not add new matter.

Claim 2 has been amended to independent form. This amendment does not add new matter.

Claims 1-19 are pending in this application.

Objections to the Specification: Abstract

The Abstract is objected to as being too long and containing legal language. Applicants have amended the Abstract for brevity and to reduce legal language. Applicants submit that the Abstract, as amended, is of acceptable length and contains acceptable language. Accordingly, Applicants respectfully request that this objection be withdrawn. Should the Examiner disagree, Applicants respectfully request that specific language of the Abstract be identified which remains objectionable.

Obviousness-Type Double Patenting

Claims 1, 3-10 and 19 are provisionally rejected as not patentably distinguishable from Claims 1 and 3-10 of U.S. App. Ser. No. 10/511,397.

Applicants submit that they will file a Terminal Disclaimer, if appropriate, upon indication of otherwise allowable subject matter.

Claim Rejection – 35 U.S.C. § 102(e)

Claims 1, 3, 4, 7, 9, 10 and 19 are rejected under 35 U.S.C. § 102(e) as being anticipated by Fuji (EP 1 160 591). The Office Action states that Fuji discloses all elements of the rejected claims.

Applicants respectfully traverse.

As a preliminary matter, Applicants respectfully submit that Fuji cannot be prior art under 35 U.S.C. § 102(e) because this reference is neither a published application for patent by another filed in the United States, nor a patent granted on an application for patent by another filed in the United States. Clarification of the statutory basis for the rejection is respectfully requested.

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Claim 1

Fuji does not anticipate Claim 1 because the reference does not disclose a resin coating layer having a minute unevenness. Fuji discloses a film having a thermoplastic resin A having a substituted or non-substituted imide group at a side chain of the resin A, and a thermoplastic resin B having a substituted or non-substituted phenyl group and a nitrile group at a side chain of the resin B. However, nowhere in Fuji is there disclosure of a light-diffusing sheet comprising a light-diffusing layer, which is made of a resin coating layer having a minute unevenness formed on a surface thereof, as recited in Claim 1. Because Fuji does not disclose all elements of Claim 1, Fuji cannot anticipate Claim 1 or any claim dependent therefrom.

Claim 3

Even if Fuji were to anticipate Claim 1, the reference does not anticipate the light-diffusing sheet of Claim 3, wherein the resin coating layer comprises fine particles and the surface unevenness shape of the resin coating layer is formed with the fine particles. The Office Action states that the recited fine particles are disclosed by Fuji as filler at paragraph [0127]. However, Fuji's fillers as described in paragraph [0127] are placed in the transparent film, and not in the resin coating layer ("A filler may be optically contained in the film of the present invention for the purpose of an improvement in slipperiness of the film or for other purposes." *Fuji* at [0127]; emphasis added). Accordingly, Fuji provides no disclosure of a resin coating layer comprising fine particles as recited in Claim 3. Because Fuji does not disclose all elements of Claim 1, Fuji cannot anticipate Claim 3, or Claim 4 which is dependent therefrom.

Claim 19

Fuji does not anticipate Claim 19 because the reference does not disclose a rough surface. As stated above, Fuji discloses a film having a thermoplastic resin A and a thermoplastic resin B. However, nowhere in Fuji is there disclosure of a light-diffusing sheet comprising a transparent film and a light-diffusing layer formed on at least one side of the transparent film, the light-diffusing layer composed of a resin coating layer having a rough surface, as recited in Claim 19. Because Fuji does not disclose all elements of Claim 1, Fuji cannot anticipate Claim 19.

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Claim Rejection – 35 U.S.C. § 103

Claim 5 is rejected under 35 U.S.C. § 103 as being obvious over Fuji in view of Suzuki (US Pub. 2002/0150722). The Office Action states that it would have been obvious to combine the ultraviolet curing resin of Suzuki with the invention of Fuji.

Applicants respectfully traverse.

Suzuki teaches preparing an antiglare film by curing with ultraviolet light.

Fuji teaches that the transparent film has poor adhesive strength and is subject to peeling:

When another film or glass is laminated to such a surface having low surface energy via an adhesive or glue, it is difficult to obtain sufficient adhesive strength or glue strength and both are likely to be peeled apart from each other.

Even when initial adhesive strength is sufficient, the adhesive strength or glue strength is likely to be reduced in a long-term use, so that both become likely to be peeled apart from each other. The speed of reduction of the adhesive strength varies depending on environmental conditions, but the adhesive strength is reduced in any environmental condition. Fuji at [0182] (emphasis added).

Thus, Fuji teaches that the transparent film provided by Fuji has limitations of poor adhesive strength and susceptibility to peeling. Suzuki is silent regarding adhesiveness, and therefore, Suzuki provides no teaching or suggestion for curing the problem taught by Fuji. Accordingly, one of ordinary skill in the art would have no reason to suspect that a combination of the teachings of Fuji with the teachings of Suzuki would result in a light-diffusing sheet comprising a light-diffusing layer without the peeling and weak adhesiveness problems taught by Fuji.

In contrast, the transparent film of the present application shows excellent adhesion to the resin coating layer. *See Specification* at page 52, line 7, through page 53, line 1, and Table 1. No combination of Fuji and Suzuki teaches or suggests a transparent film with such excellent adhesive properties. As such, the adhesiveness of the claimed transparent film is unexpected over the references. Applicants submit that, in view of the unexpected adhesiveness of the claimed transparent film, Claim 5 is non-obvious over the cited reference. Accordingly, Applicants respectfully request removal of the rejection of Claim 5.

Claim Rejection – 35 U.S.C. § 103

Claim 6 is rejected under 35 U.S.C. § 103 as being obvious over Fuji. The Office Action states that it would have been obvious to modify the teachings of Fuji to arrive at the claimed invention in view of Fuji's teachings at paragraph [0144] regarding in-plane retardation.

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Applicants respectfully traverse.

Claim 6 depends from Claim 1. As Applicants have indicated above, Fuji does not teach or suggest a resin coating layer having a minute unevenness. Fuji teaches a film having a thermoplastic resin A having a substituted or non-substituted imide group at a side chain of the resin A, and a thermoplastic resin B having a substituted or non-substituted phenyl group and a nitrile group at a side chain of the resin B. However, nowhere in Fuji is there teaching or suggestion of a light-diffusing sheet comprising a light-diffusing layer, which is made of a resin coating layer having a minute unevenness formed on a surface thereof, as recited in Claim 1. Because Fuji does not teach or suggest all elements of Claim 1, Fuji cannot render obvious Claim 1 or any claim dependent therefrom. Accordingly, Fuji cannot render obvious Claim 6.

Claim Rejection – 35 U.S.C. § 103

Claim 8 is rejected under 35 U.S.C. § 103 as being obvious over Fuji in view of Winston (US Pub. 2002/0061178). The Office Action states that it would have been obvious to combine the low refractive index layer of Winston with the invention of Fuji.

Applicants respectfully traverse.

Claim 8 depends from Claim 1. As Applicants have indicated above, because Fuji does not teach or suggest all elements of Claim 1, Fuji cannot render obvious Claim 1 or any claim dependent therefrom. Accordingly, Fuji cannot render obvious Claim 8.

CONCLUSION

In view of the above, Applicant respectfully maintains that claims are patentable and request that they be passed to issue. Applicant invites the Examiner to call the undersigned if any remaining issues might be resolved by telephone.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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